

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 2006-107-WS - ORDER NO. 2006-548
SEPTEMBER 22, 2006

IN RE: Application of United Utility Companies, Inc.)	ORDER EXTENDING
for Adjustment of Rates and Charges and)	ISSUANCE DATE OF
Modifications to Certain Terms and)	MERITS ORDER
Conditions for the Provision of Water and)	
Sewer Service.)	

This matter comes before the Public Service Commission of South Carolina (the Commission) for consideration of an extra five (5) days to issue the Order in this water and sewer rate case docket involving United Utility Companies, Inc. (United or the Company). S.C. Code Ann. Section 58-5-240(C) (Supp. 2005) requires this Commission to rule and issue its order approving or disapproving any rate changes in full or in part within six months after a rate change request is filed. S.C. Code Ann. Section 58-5-240(D) (Supp. 2005), however, states that should the Commission determine that it cannot, due to circumstances reasonably beyond its control, issue such order within the six-month period prescribed by this section, the Commission may, by order, extend the six-month period for an additional five days. In the present case, we believe that such circumstances exist, and we hereby order an extension of the issuance date of the merits order in this case from October 10, 2006 to October 16, 2006.¹

¹ Although the date would ordinarily only be extended to October 15, 2006 under the statute's five-day provision, the fifth day falls on a Sunday. Under 26 S.C. Code Ann. Regs. 103-842, the last day of a required time period for a "pleading" shall be included for counting, unless that day is a Saturday, Sunday, or legal holiday. We hold that the same calculation is applicable to the calculation of time for the five day

The “circumstances reasonably beyond our control” are clear in this matter. This case was one of three water/sewer cases filed back-to-back under the Utilities, Inc. umbrella. In addition, a settlement agreement was filed, which resulted in two hearings recently taking place in the docket in addition to the evening public hearings held earlier in the case. The additional days allow for proper preparation and a full review of all aspects of the merits order in this complex water and sewer case. Accordingly, we make the following

FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. The matter under consideration is an additional five (5) days to issue the merits order in this Docket as allowed by S.C. Code Ann. Section 58-5-240(D) (Supp. 2005).
2. The actual extension would be from October 10, 2006, to October 16, 2006, due to the fact that the fifth day of the extension falls on a Sunday.
3. There are clearly “circumstances beyond our control” existing in this instance that warrant the extension for issuance of the merits order in this Docket.
4. Under the present schedule, there is insufficient time for preparation of the Order and proper review of the Order by Staff and Commissioners.
5. The time for issuance of the merits order in this case should be extended to October 16, 2006.

extension for order issuance under S.C. Code Ann. Section 58-5-240(D) (Supp. 2005) as well. Accordingly, the date for order issuance in this case shall be extended to Monday, October 16, 2006, instead of Sunday, October 15, 2006.

ORDER

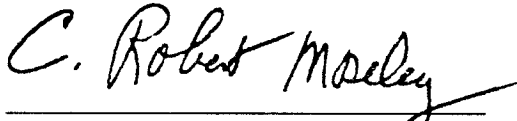
It is therefore ordered that the time for issuance of the merits order in this Docket shall be extended to October 16, 2006. This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:



G. O'Neal Hamilton, Chairman

ATTEST:



C. Robert Moseley, Vice Chairman

(SEAL)